

Application No. 10/763,758
Response dated August 31, 2006
Response to Advisory action dated August 4, 2006 (Final Office action dated: June 1, 2006)

REMARKS

In response to the Advisory action dated August 4, 2006, Applicants respectfully request reconsideration based on the above claim amendment and the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance.

Claims 1, 4, 8, 10, 13 and 14 are pending in the present Application. Claims 8 and 14 have been amended and Claims 1, 4, 10 and 13 are allowed, leaving Claims 1, 4, 8, 10, 13 and 14 for consideration upon entry of the present amendment and following remarks.

Support for the amendment to the claims is at least found in the specification, the figures, and the claims as originally filed. More particularly, support for amended Claims 8 and 14 is at least found in the specification at page 20, lines 21-23 and Figure 11.

No new matter has been introduced by these amendments. Reconsideration and allowance of the claims are respectfully requested in view of the above amendments and the following remarks.

Rejections under 35 U.S.C. § 112

In the Final Office action of June 1, 2006, Claims 8 and 14 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Indication of the status of the rejection is not included in the present Advisory action. Applicants respectfully traverse the rejection.

Referring to the response dated July 26, 2006 to the Final Office action of June 1, 2006, Claim 8 was amended to recite the feature "wherein the light reflecting pattern includes a plurality of light reflecting protrusions, each of the light reflecting protrusions comprising ..." and all of the references to "light reflecting sections" have been changed to "light reflecting protrusions."

Similarly Claim 14 was amended to recite the feature "wherein the light reflecting pattern includes a plurality of light reflecting protrusions, each of the light reflecting protrusions comprising ..." and all of the references to "light reflecting sections" have been changed to "light reflecting protrusions."

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Figure 8 of the present application provides support for the amended claims. No new matter has been added. Therefore, it is believed that Claims 8 and 14 particularly point out and distinctly claim the subject matter which applicant regards as the invention. Therefore, it is respectfully requested that the rejection as to claims 8 and 14 with respect to 35 U.S.C. § 112, second paragraph, be withdrawn.

Rejections under 35 U.S.C. § 102

In the Final Office action of June 1, 2006, Claims 8 and 14 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Yang et al. (United States Patent No. 6,323,919 B1, hereinafter "Yang"). Indication of the status of the rejection is not included in the present Advisory action. Applicants respectfully traverse the rejection.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Applicants have amended claims 8 and 14 to include the limitations of dependent claims 9 and 15, respectively. Claims 8 and 14 now recite, *inter alia*, "...wherein the first light reflecting planes of the light reflecting protrusions respectively have first angles with respect to the light transmitting surface, the second light reflecting planes of the light reflecting protrusions respectively have second angles with respect to the light transmitting surface, and the light reflecting protrusions each have different heights, wherein the first angles have a substantially identical value, the second angles have a substantially identical value, and the heights are gradually increased by a selected amount such that the height of a light reflecting protrusion is larger as the light reflecting protrusion is remoter from the light incident portion."

In contrast, Yang discloses, in FIGS. 1A, 1B and 2, a light guide plate (20) having pseudo planar surfaces (14) and slanted surfaces (15) which form light reflecting sections of constant height as demonstrated by the apex line (17), which is parallel with the light transmitting surface. In fact, Yang teaches away from the present invention of light reflecting protrusions each having different heights by suggesting that a preferred method for enlarging the slanted surfaces (15) is to form the pseudo-planar surfaces (14) and the slanted surfaces (15) in such a manner that the

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difference 'd' between the apex line (17) and the bottom line (18) gradually increases. See Column 4, line 64 through Column 5, line 16. This is not the same structure as in the present invention.

Accordingly, amended claims 8 and 14 are believed to be patentably distinct in view of Yang. Therefore, Applicants respectfully request that the Examiner reconsider the rejections to claims 8 and 14 under 35 U.S.C. § 102(b).

Rejections under 35 U.S.C. § 103

In order for an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art; that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references; and that the proposed modification of the prior art must have had a reasonable expectation of success, determined from the vantage point of the skilled artisan at the time the invention was made. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996). See MPEP 2143.

In the Final Office action of June 1, 2006, the Examiner has rejected Claims 8 and 14 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Chao-Ching et al. (U.S. Patent No. 6,074,069; hereinafter "Chao-Ching"). Applicants respectfully traverse the rejections.

In the present Advisory action, the Examiner states that Applicants' arguments with respect to Chao-Ching are not persuasive. The Examiner disagrees with Applicants' arguments that the diffusion units 21 of Chao-Ching are recesses or indentations instead of protrusions as shown in Fig. 7 and the heights of the diffusion units of Chao-Ching are constant. The Examiner further states that since Chao-Ching discloses that the diffusing units 21 are convex diffusing units (or protrusions) and the height of the diffusing units 21 are increased to the distance with the lateral light source as shown in Figs. 7 and 8 (Col. 2, lines 48-64). Applicants respectfully disagree.

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Amended Claims 8 and 14 recite, *inter alia*,

"a light reflecting portion comprising a light reflecting pattern to reflect the light provided from the light incident portion; and
a light transmitting surface to transmit the light reflected by the light reflecting pattern to a display panel, wherein the light reflecting pattern includes a plurality of light reflecting protrusions; the light reflecting protrusions each have different heights and the heights *from the light transmitting surface to a tip of the light reflecting protrusions* are gradually increased by a selected amount such that the height of a light reflecting protrusion is larger as the light reflecting protrusion is remoter from the light incident portion." [Emphasis added.]

In the Final Office action at Page 5, the surface right below the diffusion piece 3 and convex diffusion units 21 of Chao-Ching are considered as disclosing the "light transmitting surface" and "light reflecting sections" of the claimed invention. Applicants respectfully note that Claims 8 and 14 recite "light reflecting protrusion" not "sections."

Chao-Ching discloses in FIGS. 7, 8 and 10 a light guide assembly comprising diffusion units (21) with an upper side directly on a diffusion piece (3) and a lower side directly on a reflecting piece (4). Applicants respectfully submit that the diffusion units (21) do not have a "tip" as claimed, but only have a planar surface at a lower side directly on a reflecting piece (4).

For purpose of this response, a "tip of the light reflecting protrusions" may be considered this surface directly on a reflecting piece (4). Heights of the diffusion units (21) taken from the upper side directly on a diffusion piece (3) (considered as the "light transmitting surface") to the surface directly on a reflecting piece (4) in Chao-Ching are illustrated as constant. Therefore, Chao-Ching does not teach or suggest the light reflecting protrusions each have different heights and the heights from the light transmitting surface to a tip of the light reflecting protrusions are gradually increased by a selected amount such that the height of a light reflecting protrusion is larger as the light reflecting protrusion is remoter from the light incident portion of amended Claims 8 and 14. To the contrary, Chao-Ching teaches no change in the height of the diffusion units (21) from the an upper side directly on a diffusion piece (3).

As discussed above, Chao-Ching *does not teach or suggest all of the limitations of* amended Claims 8 and 14. Thus, *prima facie* obviousness does not exist regarding amended Claims 8 and 14 with respect to Chao-Ching.

Additionally, since Chao-Ching fails to teach or suggest all of the limitations of amended Claims 8 and 14, clearly, one of ordinary skill at the time of Applicants' invention would not

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have a *motivation to modify or combine the references*, nor a reasonable likelihood of success in forming the claimed invention by the Examiner's modifying or combining the references. Thus, here again, *prima facie* obviousness does not exist. *Id.*

Thus, *prime facie* obviousness does not exist regarding amended Claims 8 and 14 with respect to Chao-Ching. Claims 8 and 14 are not further rejected or objected and are therefore allowable. Reconsideration, withdrawal of the relevant rejections and allowance of Claims 8 and 14 are respectfully requested.

Conclusion

All of the objections and rejections are herein overcome. In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. No new matter is added by way of the present Amendments and Remarks, as support is found throughout the original filed specification, claims and drawings. Prompt issuance of Notice of Allowance is respectfully requested.

The Examiner is invited to contact Applicants' attorney at the below listed phone number regarding this response or otherwise concerning the present application.

Applicants hereby petition for any necessary extension of time required under 37 C.F.R. 1.136(a) or 1.136(b) which may be required for entry and consideration of the present Reply.

If there are any charges due with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130 maintained by Applicants' attorneys.

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